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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO/OAKLAND DIVISION

ALAMEDA COUNTY MALE PRISONERS
And Former Prisoners, DANIEL GONZALEZ,
et al. on behalf of themselves and others similarly
situated, as a Class, and Subclass
PLAINTIFFS,

vs.

**ALAMEDA COUNTY SHERIFF'S
OFFICE, et al**

DEFENDANTS.

No. 3:19-cv-07423 JSC

**PLAINTIFFS' RESPONSE TO
COURT'S SUA SPONTE
REFERRAL FOR PURPOSES OF
DETERMINING RELATIONSHIP
(DKT. 24)**

PLAINTIFFS, the Male Prisoners incarcerated in Santa Rita Jail, hereby respond to the Court's sua sponte referral for purposes of determining relationship (Dkt. 24).

1. Plaintiffs' first amended complaint was filed on May 7, 2020 (Dkt. 10). Along with the First Amended Complaint, Plaintiffs filed an ex parte application for temporary restraining order accompanied by 19 declarations (Dkt. 12-Main, Dkt 12.1-12.20). Plaintiffs also filed an application to relate this case to the Mohrbacher v. Alameda County Sheriff's Office, No. 3:18-

1 cv-00050-JD. On May 15, 2020, Judge Donato declined to relate the two cases. (Dkt. 164,
2 *Mohrbacher*, 18-00050, Dkt. 14, *Gonzalez*).

3 2. In the interim, all defendants were personally served. All parties have filed a consent to
4 the magistrate judge. (Dkt. 16, 17, 19, 22).

5 3. The week following service of process on defendant Well-Path, Peter Bertling, counsel
6 for Well-Path, phoned counsel for plaintiffs, Yolanda Huang. One of the matters discussed was
7 the issue of whether the present case should be related to *Babu, et al. v. Ahern et al.* No. 18-7677.
8 Yolanda Huang stated that she had listened into a number of the court proceedings in April and
9 May and that there had been affirmative statements by the Court and defense counsels that Babu's
10 scope was mental health. Therefore, plaintiffs did not consider sufficient nexus for the two cases
11 to be related. Plaintiffs' counsel did state that if defendants felt there was sufficient nexus, that
12 plaintiffs would not oppose a defense motion to relate. Neither the plaintiffs nor the defendants of
13 *Babu, et al. v. Ahern et al.* have moved to relate the cases.

14 DATED: June 7, 2020

LAW OFFICE OF YOLANDA HUANG

15
16 /s/ Yolanda Huang
Yolanda Huang

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18 **DENNIS CUNNINGHAM**

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20 /s/ Dennis Cunningham
21 Counsel for Plaintiffs